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Security Council

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Report of the Secretary-General pursuant to Security Council resolution 1478 (2003) regarding Liberia

I. Introduction

1. In paragraph 1 of its resolution 1478 (2003) of 6 May 2003, the Security Council decided that the Government of Liberia had not complied fully with the demands set out in resolution 1343 (2001), in which the Council had demanded that the Government of Liberia immediately cease its support for the Revolutionary United Front (RUF) in Sierra Leone and for other armed rebel groups in the region, and in particular that it take the following concrete steps:

(a) Expel all members of RUF from Liberia, including such individuals as are listed by the Committee established by paragraph 14 of the resolution, and prohibit all activities of RUF on its territory, provided that nothing in the present paragraph shall oblige Liberia to expel its own nationals from its territory;

(b) Cease all financial and, in accordance with resolution 1171 (1998), military support to RUF, including all transfers of arms and ammunition, all military training and the provision of logistical and communications support, and take steps to ensure that no such support is provided from the territory of Liberia or by its nationals;

(c) Cease all direct or indirect import of Sierra Leone rough diamonds not controlled through the certificate-of-origin regime of the Government of Sierra Leone, in accordance with resolution 1306 (2000);

(d) Freeze funds or financial resources or assets made available by its nationals or within its territory or indirectly for the benefit of RUF or entities owned or controlled directly or indirectly by RUF;

(e) Ground all Liberia-registered aircraft operating within its jurisdiction until it updates its register of aircraft pursuant to annex VII to the Chicago Convention on International Civil Aviation of 1944 and provides to the Council the updated information concerning the registration and ownership of each aircraft registered in Liberia.

2. In paragraph 20 of resolution 1478 (2003), the Council requested me to submit a report by 21 October 2003, and thereafter at six-monthly intervals from that date, drawing on information from all relevant sources, including the United Nations Peace-building Support Office in Liberia (UNOL), the United Nations Mission in

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Sierra Leone and the Economic Community of West African States, on whether Liberia had complied with the demands referred to in paragraph 1 above.

3. On 6 November 2003, I addressed a letter to the President of the Security Council informing him that, because of the prevailing situation in Liberia, which had necessitated the evacuation of United Nations personnel, it had not been possible to gather the information needed to prepare the report and advising of the need to defer the submission of that report until early 2004, in order to allow the United Nations Mission in Liberia (UNMIL) and the National Transitional Government ample time to gather the requisite information and to conduct an assessment of the new circumstances on the ground, with a view to providing inputs that would enable me to prepare the report.

II. The dissolution of the Charles Taylor Government in Liberia

4. Since my report of 22 April 2003 (S/2003/466), which was issued pursuant to Security Council resolution 1408 (2002), there have been significant developments in Liberia. On 4 June 2003, the Special Court for Sierra Leone unsealed its indictment against the President of Liberia, Charles Taylor. The indictment was accompanied by a warrant for his arrest and an order for his transfer and detention. On 11 August 2003, President Charles Taylor resigned his office and flew to Nigeria following an offer of asylum by the Government of Nigeria, which was predicated on his non-involvement in Liberian politics.

5. On 18 August 2003, the Government of Liberia, the Liberians United for Reconciliation and Democracy (LURD), the Movement for Democracy in Liberia (MODEL) and other Liberian political parties signed, at Accra, a Comprehensive Peace Agreement, which made provision for the permanent cessation of hostilities, for disarmament, demobilization, rehabilitation and reintegration, security sector reform, restructuring of the security forces, release of prisoners and abductees, human rights and humanitarian issues, settlement of disputes, electoral reform, establishment of a transitional government and credible elections in October 2005. The signatories to the Agreement designated Vice-President Moses Blah to head the Government of Liberia for an interim period, until 14 October 2003. Thereafter, an all-inclusive transitional government, the National Transitional Government of Liberia, would replace the Government of Liberia, with a mandate scheduled to commence on 14 October 2003 and to expire in January 2006, when the next elected Government of Liberia would be sworn into office.

6. By resolution 1509 (2003), the Security Council established the United Nations Mission in Liberia, whose mandate includes supporting the implementation of the ceasefire agreement signed by the Liberian parties on 17 June 2003, providing support for security sector reform, facilitating humanitarian and human rights assistance, and supporting the implementation of the peace process. In view of the establishment of UNMIL, I informed the President of the Security Council in my letter dated 16 September 2003 (S/2003/899) that I intended to terminate the mandate of UNOL.

III. The dissolution of the Revolutionary United Front

7. Following the completion of the initial stages of the disarmament programme in Sierra Leone early in 2002, the Revolutionary United Front's military structure was extensively dismantled. With the encouragement of the international community and other interested stakeholders, RUF officially announced its transformation into a political party, the Revolutionary United Front Party (RUFP), so that it could participate in the country's general elections in May 2002. During the pre-electoral period, constant disagreements between the leadership and the rank-and-file combatants contributed to eroding the organizational cohesion of RUF, which had already been significantly weakened by the disarmament and demobilization process. There were sharp divisions among the cadres over the participation of RUFP in the elections and its presidential candidate.

8. Throughout the period leading up to the elections, RUFP claimed financial hardship and consistently requested monetary and material assistance from the international community in order to participate in the elections. As a result of its apparent state of penury and poor organizational abilities, RUFP was unable to launch an effective election campaign. Moreover, apart from not having a popular following, the party received little support from its members, many of whom were disillusioned over perceived corruption within the leadership. By the time of the elections, many of the disenchanted had abandoned RUFP. As a result of these and other factors, RUFP failed to win a single seat in Parliament. Immediately following the elections, RUFP closed some of its main offices in the districts, citing financial difficulties. In addition, the Secretary-General of RUFP, Paolo Bangura, who was also its nominated presidential candidate, resigned from the party on 13 August 2002.

9. Five of the key former members of RUF, Foday Sankoh, Sam "Mosquito" Bockarie, Issa Sesay, Morris Kallon and Augustine Gbao, were indicted by the Special Court between 10 March and 4 June 2003. Three are currently under arrest and awaiting trial by the Special Court. Sam "Mosquito" Bockarie was killed in Liberia early in May 2003, while Foday Sankoh died in prison on 30 July 2003.

10. Reports indicate that, following the completion of disarmament in Sierra Leone, former fighters of RUF and the Civil Defence Forces were recruited to fight in Liberia on behalf of the forces of the Government of Liberia or LURD. Among these "soldiers for hire", was a group of ex-RUF fighters led by Sam Bockarie and maintained by Charles Taylor. Since the death of Sam Bockarie and the disintegration of the Charles Taylor Government, the situation of those combatants has changed considerably. As it stands, any remaining RUF elements that fought alongside Taylor's forces would probably be disarmed, demobilized and repatriated to Sierra Leone under the disarmament, demobilization, rehabilitation and reintegration programme provided for in the Comprehensive Peace Agreement and referred to in paragraph 5 above. The Government of Sierra Leone and the National Transitional Government of Liberia are being encouraged to coordinate their actions closely in order to ensure that the ex-combatants are repatriated, resettled and reintegrated into their respective communities. As members of the Council are aware, preparations are currently under way to resume the disarmament, demobilization, rehabilitation and reintegration programme in Liberia. The programme was initially launched in December 2003, but was suspended after it encountered difficulties. In the meantime, consultations are ongoing between the

Governments of Sierra Leone and Liberia to determine the most effective way of dealing with foreign combatants located in their territories.

IV. Observations

11. It will be recalled that the raison d'être for the demands in paragraph 2 of resolution 1343 (2001) was the need to help to consolidate and ensure peace and stability in Sierra Leone and to build and strengthen peaceful relations among the countries of the region. Since the adoption of that resolution, significant strides have been made in the consolidation of peace in Sierra Leone, as noted by the Security Council in its resolution 1521 (2003). In addition, the Liberian peace process has progressed as a result of the departure of Charles Taylor, and the Ivorian peace process, which has also been affected by the ongoing conflicts in the subregion, is advancing.

12. Noting the changed circumstances referred to above, the Security Council in resolution 1521 (2003) revised the legal basis of its sanctions measures concerning Liberia to reflect the new reality on the ground. The benchmarks for lifting the new sanctions are not linked to the demands contained in paragraph 2 of resolution 1343 (2001). Furthermore, the Council agreed not to renew the prohibition against the import of rough diamonds from Sierra Leone not controlled by the certificate-of-origin regime, thus making the demand contained in paragraph 2 (c) of resolution 1343 (2001) obsolete. In view of the above, my intention would be to make this my final report pursuant to paragraph 20 of resolution 1478 (2003). I will have the opportunity to submit a report to the Council, by 30 May 2004, on progress made towards the revised benchmarks for the lifting of sanctions, in accordance with paragraph 26 of resolution 1521 (2003).